

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**CEASE AND DESIST ORDER NO. R9-2002-0212  
FOR  
RANCHO CALIFORNIA WATER DISTRICT  
SANTA ROSA WATER RECLAMATION FACILITY  
DISCHARGE TO THE  
SANTA MARGARITA RIVER  
TO ESTABLISH  
INTERIM EFFLUENT LIMITATIONS AND A TIME SCHEDULE  
TO COMPLY WITH NPDES ORDER NO. R9-2002-0104**

The California Regional Water Quality Control Board, San Diego Region, (hereinafter Regional Board) finds that:

1. Rancho California Water District (RCWD) discharges up to 2.0 million gallons per day (MGallons/Day) of tertiary treated wastewater from the Santa Rosa Water Reclamation Facility (SRWRF) to Murrieta Creek, tributary to the Santa Margarita River, subject to Waste Discharge Requirements contained in Order No. R9-2002-0104 (NPDES No. CA0108821).
2. The wastewater discharge regulated by Order No. R9-2002-0104 is part of a continued pilot study, to collect information on the feasibility of a water resources management project within the Santa Margarita River, as proposed by a "Four Party Agreement" entered into on September 21, 1990 between RCWD, Eastern Municipal Water District, Fallbrook Public Utilities District, and the United States Marine Corps Base Camp Pendleton.
3. Currently, any treated effluent in excess of 2.0 MGallons/Day at the SRWRF is discharged via existing percolation and water reuse sites pursuant to Regional Board Order No. 94-92. If the pilot project discharge were terminated, Order No. 94-92, *Waste Discharge Requirements for the Rancho California Water District, Wastewater Reclamation Facilities, Riverside County*, provides RCWD alternative requirements for the discharge of all plant effluent at the current design capacity of 5 MGallons/Day.
4. Order No. R9-2002-0104 contains effluent limitations for dibromochloromethane and dichlorobromomethane as required by 40 CFR Part 131; *Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California* (a.k.a. California Toxics Rule, CTR). SRWRF effluent does not currently comply with the limitations for dibromochloromethane and dichlorobromomethane in Order No. R9-2002-0104, as shown in Table 5-11 of the RCWD Report of Waste Discharge (November 2001), incorporated herein by reference.
5. Order No. R9-2002-0104 also contains revised effluent limitations for total nitrogen and total phosphorous in accordance with Chapter 3 of the 1994 *Water Quality Control Plan for the San Diego Basin (9)* (i.e. Basin Plan). Wastewater from the SRWRF contains total nitrogen and total phosphorous at concentrations that comply with existing requirements for reclamation & discharge to groundwater but that exceed the receiving water quality objectives applicable to Murrieta Creek.

These objectives are the basis for the effluent limitations established in Order No. R9-2002-0104. SRWRF effluent does not comply with the effluent limitations for total nitrogen and total phosphorous contained in Order No. R9-2002-0104, as shown in Section B.6 of EPA Form 3510-2A, of the RCWD Report of Waste Discharge (November 2001), incorporated herein by reference.

6. It will take RCWD approximately 3 years and 6 months to evaluate, select, and implement treatment methods and/or disposal alternatives that are consistent with applicable water quality objectives.
7. The Regional Board has notified all known interested parties of its intent to issue CDO No. R9-2002-0212. The Regional Board, in a public hearing on October 9, 2002, heard comments pertaining to the issuance of CDO No. R9-2002-0212 and considered all comments received during the public comment period prior to the adoption of this Cease and Desist Order.
8. This enforcement action is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15321 (Enforcement Actions by Regulatory Agencies), Chapter 3, Title 14 of the California Code of Regulations.

**IT IS HEREBY ORDERED**, that pursuant to California Water Code Section 13301, the Rancho California Water District (RCWD) shall comply with the following directives:

1. RCWD shall cease violations of the effluent limitations and waste discharge requirements contained in Order No. R9-2002-0104 no later than April 1, 2006.
2. RCWD shall achieve compliance with Directive No. 1 above in accordance with the following time schedule:

**TABLE 1**

<b>TASKS</b>	<b>COMPLETION DATES</b>	<b>REPORT DATES</b>
A. Select alternative means to achieve full compliance with the applicable effluent limitations and requirements of Order No. R9-2002-0104. Provide documentation, by December 1, 2003, of the process used to select the alternative(s), including a detailed description of the selected alternative(s) and a time schedule, with compliance milestones for full implementation of the alternative(s), and details of any applicable proceedings, funding, design, and construction time lines.	December 1, 2003	December 1, 2003
B. Initiate implementation of selected alternative(s).	February 1, 2004	February 15, 2004
C. Submit quarterly reports to this Regional Board and USEPA summarizing progress made towards implementation of the time schedule submitted. Each report shall list compliance milestones accomplished, and shall include any/all deviations from the proposed schedule, as well as reasons for such deviations.	1 <sup>st</sup> Quarter: March 31 2 <sup>nd</sup> Quarter: June 30 3 <sup>rd</sup> Quarter: September 30 4 <sup>th</sup> Quarter: December 31	1 <sup>st</sup> Quarter: April 15 2 <sup>nd</sup> Quarter: July 15 3 <sup>rd</sup> Quarter: October 15 4 <sup>th</sup> Quarter: January 15
D. Cease discharge or achieve full compliance with the effluent limitations contained in NPDES Order No. R9-2002-0104.	April 1, 2006	April 15, 2006

3. Until April 1, 2006, RCWD shall comply with the following interim effluent limitations:

**TABLE 2**

CONSTITUENT	UNITS	ANNUAL AVERAGE <sup>1</sup>	MONTHLY AVERAGE <sup>2</sup>	DAILY MAXIMUM <sup>3</sup>
Total Nitrogen	mg/L	--	5.0	8.0
	lb/Day <sup>3</sup>		83	133
Total Phosphorus	mg/L	--	1.0	2.0
	lb/Day <sup>4</sup>		17	33
Dibromochloromethane (a.k.a. Chlorodibromomethane)	ug/L	7	--	--
	lb/Day <sup>4</sup>	1.2		
Dichlorobromomethane	ug/L	14	--	--
	lb/Day <sup>4</sup>	2.3		

Table 2 Notes:

- 1 The annual average effluent limitation shall apply to the mean of all samples collected in one calendar year.
- 2 The monthly average limitation shall apply to the mean of all samples collected in a calendar month.
- 3 The daily maximum shall apply to the maximum result of all samples collected in a calendar day.
- 4 Compliance with the mass emission rates (in lb/Day) shall be based on the design flow of the SRWRF, as stated in Order No. R9-2002-0104.

Except for the interim effluent limits provided in this Directive, all waste discharge requirements, specifications, and effluent limits contained in Order No. R9-2002-0104 shall remain in effect.

4. The RCWD shall submit a written report to the Regional Board on or before each compliance date described in Directive No. 2 of this Order. The report shall contain information to indicate if the required task has been completed as required under Directive No. 2 above.


## **PROVISIONS**

1. Nothing in this Order shall be construed to relieve Rancho California Water District from civil liability or criminal penalties resulting from violations of Order No. R9-2002-0104, NPDES Permit No. CA0108821, as renewed or revised, or this Cease and Desist Order.
2. This Cease and Desist Order becomes effective on the date of adoption by the Regional Board.

October 9, 2002

2. This Cease and Desist Order becomes effective on the date of adoption by the Regional Board.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board on October 9, 2002.

  
JOHN H. ROBERTUS  
Executive Officer